

## REMARKS/ARGUMENTS

By the *Office Action* of 19 May 2008, Claims 1-21 are pending in the Application, and all rejected. Applicant thanks Examiner with appreciation for the careful consideration and examination given to the Application.

Applicant submits this *Response and Amendment* solely to facilitate prosecution. As such, Applicant reserves the right to present new or additional claims in this Application that have similar or broader scope as originally filed. Applicant also reserves the right to present additional claims in a later-filed continuation application that have similar or broader scope as originally filed. Accordingly, any amendment, argument, or claim cancellation presented during prosecution is not to be construed as abandonment or disclaimer of subject matter.

By the present *Response and Amendment*, all Claims are clarified. No new matter is believed presented, and all pending Claims believed allowable.

### **1. The Present Invention**

The present invention generally relates to a multilayer washable material comprising at least one layer of a textile material, wherein the layers are joined to one another by means of an adhesive composition. The present multilayer washable material preferably is designed so as to prevent wrinkling. As such, preferably in an interfacial region between each pair of layers bearing against one another there is an adhesive composition in the form of a pattern that prevents wrinkling. Further, there is no finishing of the multilayer material. The present material thus can be cut to shape by the end-user without fear of destroying an edge finishing. *US Patent Publication 2006/0198993, ¶¶[0001] and [0005]*.

### **2. The Claim Rejections**

The Examiner rejects Claims 1-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention.

Applicant clarifies the pending Claim 1-21 as kindly suggested by the Examiner. It is believed the clarified Claims overcome the Examiner's §112, second paragraph rejections.

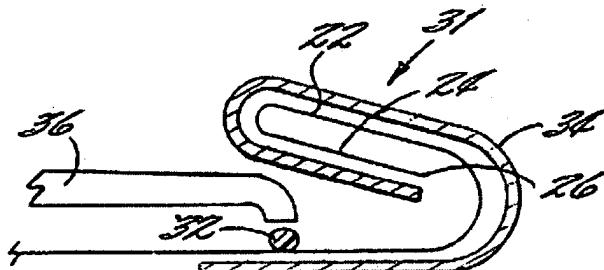
In the *Office Action*, Claims 1-2, 4-6, 8-10, 13-14 and 18-20 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Publication No. 20010001300 to Tolbert et al.

Claims 1-2 and 8 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by EP Patent No. 0211815 to Ternstrom. Claims 1-6 and 8-20 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ternstrom in view of U.S. Patent No. 4,911,948 to McIntyre. Claims 7 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ternstrom in view of McIntyre, and further in view of U.S. Patent Publication No. 20010039405 to Keuhn et al.

It is respectfully submitted that Claims 1-21 are believed novel and non-obvious over the cited references, as none, alone or in combination, disclose, teach or suggest the invention of Claims 1 and 8, nor the Claims ultimately dependent from Claims 1 and 8.

For example, Tolbert et al. discloses processes for constructing textile articles using curable hot melt adhesives. In the process, a molten curable hot melt adhesive is applied to a fabric surface along a simulated sewing path and contacted to another fabric surface so that the adhesive is disposed between the fabric surfaces. The adhesive bonds the fabric surfaces so that the article can withstand subsequent fabric processing. The adhesive cures over time, causing an irreversible increase in the initial softening point of the adhesive. The resultant textile articles exhibit good seam strengths, durability and desirable aesthetics.

An essential feature of Tolbert et al. is the finishing of the edges of the textile articles, illustrated by the following figure from the *Specification*:



The textile articles by Tolbert et al. hence cannot be cut to shape by the end-user, without destroying the edge finishing:

The invention is applicable to form numerous different functional and decorative threadless seams. In one aspect of the invention, the curable hot melt adhesive is applied between overlapping layers of a single, folded textile fabric to adhesively secure the layers to provide a threadless seam forming a durable hem. Alternatively, the adhesive can be applied between

adjacent surfaces of two or more textile fabrics to construct a durable adhesive seam securing the textile fabrics to one another. The curable hot melt adhesive also can be applied along an edge portion of a textile fabric to provide various other types of threadless seams including a flexible, yet durable, chemical selvage, or an overedge or serge effect (especially for side hems). Still further, a shaped deposit of adhesive can be applied along an edge of a textile fabric to provide decorative threadless seams to replace various conventional decorative effects, such as perling, ribbon-hemming, piping, and other decorative finishes. Tolbert et al., ¶[0015].

Further, the Tolbert et al. material is prone to wrinkles.

A known material of this type has the drawback that the way in which the various layers are joined adopts a stitching pattern character, with the result that wrinkles may occur during use. If a multilayer material of this type is used, for example, as a washable incontinence underpad, the patient may find wrinkles of this nature very unpleasant and even painful and/or harmful. *US Patent Publication 2006/0198993*, ¶¶[0004].

It is respectfully submitted that both these disadvantages of Tolbert et al. are overcome by the present invention, as recited in the Claims, and thus the present invention is novel over Tolbert et al.

The Examiner alleges in the *Office Action* that the Tolbert et al. application of adhesive material to the edges is equivalent to the embodiment of the present invention. Applicant respectfully disagrees.

Being able to withstand multiple launderings is an admittedly important feature that both the present invention and Tolbert et al. have in common. On the other hand, this feature in Tolbert et al. is lost when the edge finishing is destroyed, removed or cut by the end-user. Such is not the case with the multilayer washable material of the present invention, as this is a required feature of the material of Claims 1 and 8. Rather, the multilayer washable material of the present invention has been washed for a great number of times under the most taxing conditions, without any problems concerning delaminating at all.

It is respectfully shown above that Claims 1-2, 4-6, 8-10, 13-14 and 18-20 are novel over Tolbert et al.

Claims 1-2 and 8 are believed novel over Ternstrom, as the Ternstrom product cannot be washed, and it has finished edges. Ternstrom discloses a disposable, absorbent product such as a diaper, a sanitary towel or the like, comprising an absorption body (1), an outer layer (2) of

liquid-pervious material facing towards the wearer when in use, and an outer layer (3) impervious to liquid on the opposite side of the body, both layers extending past the contour of the body and being mutually united at these extended portions, as well as being attached to the body by a binding agent. Primarily distinguishing for the Ternstrom product is that the layers (2, 3) have on their inner sides a coating of binding agent (9, 10), which is applied so thinly that on being applied, it parts to form a network-like pattern of binding agent extending over the respective layer, and in that these coatings are the means of mutually sealing the layers at their portions extending past the contour of the body, as well as the means of attachment between the respective layer and the absorption body.

Illustrative for the disposable article of Ternstrom is the following figure:

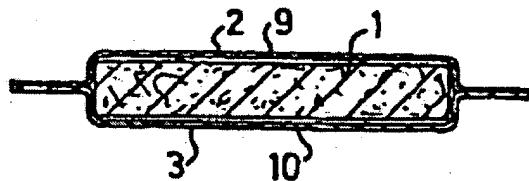


FIG. 2

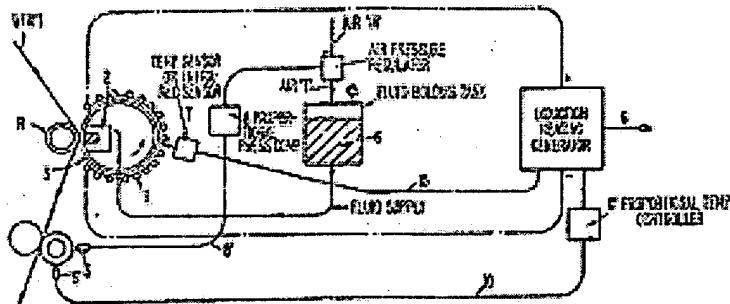
The products by Ternstrom cannot be washed at all. Thus, wrinkling as a result of multiple washing would not be a product for Ternstrom at all. Moreover, Ternstrom clearly discloses products having finished edges. Thus, Ternstrom does not disclose a multilayer washable material as currently claimed, and a product that cannot be cut to shape by the end-user, without destroying the edge finishing.

It is respectfully submitted that Claims 1-6 and 8-20 are non-obvious over Ternstrom in view of McIntyre, as McIntyre does not provide that which is missing from Ternstrom. Initially, Ternstrom does not disclose multiple washable products. Moreover, Ternstrom discloses products with finished edges. McIntyre concerns a hot-melt screen-printing method and apparatus in which a line of fluid is extruded against a predetermined region of a rotary screen opposite which a web is drawn to transfer the fluid extruded at said region through the screen pores, with large cross-section fluid extrusion sealed against the inner wall of the screen as the same rotates past said region, and with features of fluid pressure and screen heating synchronous and proportional to line speed, inserted inner screen cavity construction (and possible exterior

inerting of the screen), and novel web drawing roller positioning, including web-movement rotation of the screen, and all accommodating high viscosity fluids and high web speeds.

The McIntyre apparatus is represented by the following figure:

*FIG. 1.*



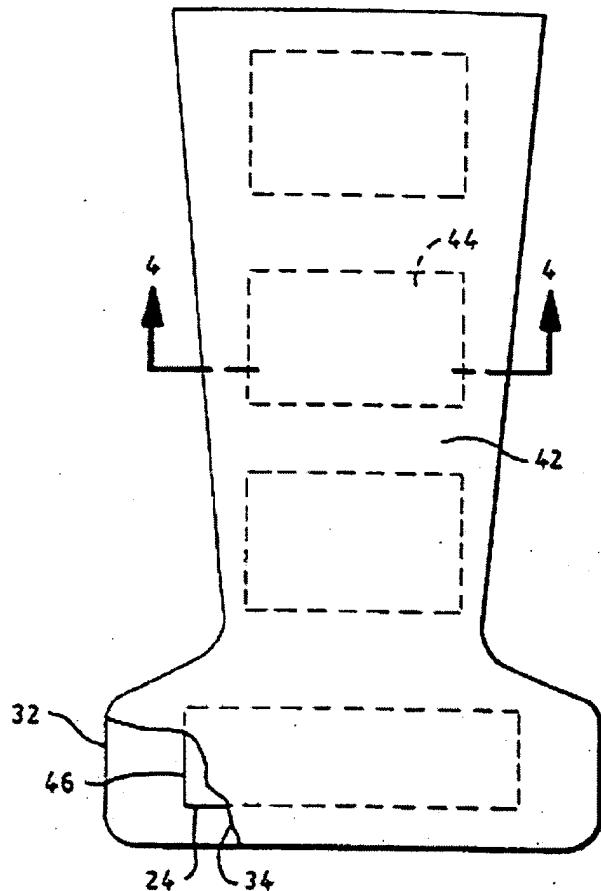
However, even if the apparatus of McIntyre would be used to prepare an absorbent product of Ternstrom, the product would still be a disposable product with finished edges. McIntyre does not disclose, teach or suggest that the use of the apparatus turns disposable articles into multiple washable products and/or products that have their edges finished no longer require edge finishing.

One of skill in the art, having considered both Ternstrom and McIntyre, would thus not have arrived at the present invention as claimed. The present invention is therefore non-obvious over Ternstrom in view of McIntyre.

It is respectfully submitted that Claims 7 and 21 are non-obvious over Ternstrom in view of McIntyre, and further in view of Keuhn et al. Keuhn et al. concerns an absorbent article that includes a vapor permeable backsheet, a liquid permeable topsheet positioned in facing relation with the backsheet; and an absorbent body located between the backsheet and the topsheet. The absorbent body may include multiple zones of high air permeability or may include materials which provide improved air exchange after being wetted. The absorbent article may also include a ventilation layer between the absorbent body and the backsheet and a surge management layer between the absorbent body and the topsheet. The article exhibits improved air exchange within the article during use. As a result, the article exhibits substantially reduced levels of hydration of

the wearer's skin when in use which renders the skin less susceptible to the viability of microorganisms.

The product of Keuhn et al. is illustrated by the following figure:



The articles prepared by Keuhn et al. are not meant to be washable:

The present invention relates to an absorbent article for absorbing body fluids and exudates, such as urine. More particularly, the present invention relates to absorbent garments, such as **disposable** diapers and adult incontinence garments, which are configured to absorb body exudates while also helping to provide reduced skin hydration and improved skin health. Keuhn et al., ¶[0002].

Therefore, Ternstrom in view of McIntyre and further in view of Keuhn et al. would suggest the preparation of disposable articles, not multiple washable articles. Such a

combination would not suggest a multiple washable articles that prevent wrinkling and can be cut to size without destroying the edge finishing and/or suffering from delamination.

It is thus respectfully submitted that Claims 1 and 8, and all Claims ultimately dependent from Claims 1 and 8, are patentable over all the cited references.

**3. Fees**

This *Response and Amendment* is being filed within six months of the *Office Action*, and more specifically within three months. Thus, no extension of time fee payments is believed due.

No additional claims fees are believed due, as the pending claim count as to both total number of claims, and independent claims, remain covered under the original filing fee.

Nonetheless, authorization is hereby expressly given to charge any fees due via deposit account No. 20-1507.

## CONCLUSION

By the present *Response and Amendment*, this Application has been placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.2773.

Respectfully submitted,

**Certificate of Transmission:**

I hereby certify that this correspondence is being submitted by e-filing to the US Patent and Trademark Office in accordance with §1.8 on this date, via the EFS-Web electronic filing system.

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15 August 2008

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